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8 *Attorneys for Chapter 7 Trustee, A. Cisneros*

9
10 **UNITED STATES BANKRUPTCY COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **SANTA ANA DIVISION**

13 In re:

14 JEFFREY S. BEIER,

15 Debtor.

Bankruptcy Case No. 8:23-bk-10898-TA

Chapter 7

**NOTICE OF TRUSTEE'S INTENT TO
ABANDON PURSUANT TO 11 U.S.C.
§ 554(a) AND LOCAL BANKRUPTCY
RULE 6007-1**

[No Hearing Required]

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20 **TO THE HONORABLE THEODOR C. ALBERT, UNITED STATES BANKRUPTCY**
21 **JUDGE, OFFICE OF THE UNITED STATES TRUSTEE, CREDITORS AND ALL**
22 **INTERESTED PARTIES:**

23 YOU ARE HEREBY NOTIFIED THAT immediately after fourteen (14) days from the date
24 of mailing of this Notice and unless an objection and request for hearing is filed and served as set
25 forth herein, A. Cisneros, the duly appointed and acting Chapter 7 Trustee of the bankruptcy estate
26 ("Estate") of Jeffrey S. Beier ("Trustee"), hereby intends to and does abandon the following claims
27 against Bank of America, N.A. and The Bank of New York Mellon ("Claims") because they are of
28 inconsequential value and benefit to the Estate.

Pursuant to Local Bankruptcy Rule 6007-1, objections hereto and requests for hearing before the Court, if any, shall be in writing and filed with the Clerk of the United States Bankruptcy Court, located at 411 W 4th St, Santa Ana, CA 92701, and served upon the Office of the United States Trustee, located at 411 W 4th St #7160, Santa Ana, CA 92701 and Trustee herein at the address shown at the upper left corner of the Notice, within fourteen (14) days of the date of the mailing of this Notice.

Any objections not timely filed and properly served will be waived and deemed as consent to the relief requested by Trustee herein. Pursuant to 11 U.S.C. § 554(a) and Local Bankruptcy Rule 6007-1, if no written objection and request for hearing is served within fourteen (14) days of the mailing of the Notice, Trustee shall be deemed to be authorized to take any and all actions necessary or convenient regarding the abandonment proposed herein in Trustee's sole discretion.

Trustee intends to abandon any claims that the Estate may have against Bank of America, N.A. and The Bank of New York Mellon related to: (a) a promissory note dated March 2, 2005 and deed of trust dated March 2, 2005 and recorded against the real property commonly known as 10 Tucson, Coto De Caza, California 92679 – Assessor's Parcel Number 755-241-13 ("Property") in the Official Records of the Orange County Recorder's Office as document number 2005000170527 and (b) related to the loan evidenced by the promissory note and deed of trust.

Trustee is informed that Debtor filed the following lawsuits in the Superior Court of the State of California for the County of Orange in connection with the Property, each of which has been dismissed:

1. Orange County Superior Court case number 30-2011-00463450-CU-OR-CJC, styled as *Beier v. BAC Home Loans Servicing, LP, et al*;
2. Orange County Superior Court case number 30-2015-00788856-CU-OR-CJC, styled as *Beier v. The Bank of New York Mellon, et al*;
3. Orange County Superior Court case number 30-2017-01312331-CU-OR-CJC, styled as *Beier v. Bank of America, et al*; and
4. Orange County Superior Court case number 30-2023-01312331-CU-OR-CJC, styled as *Beier v. The Bank of New York Mellon, et al*.

1 Based on Trustee's review of the foregoing lawsuits and dispositions thereof, as well as the
2 purported basis of the claims identified by Debtor in his sworn Schedule A/B, it is Trustee's belief
3 that the Claims are of inconsequential value and benefit to the Estate.

4 Abandonment of the Property is effective based on this Notice of Abandonment. However,
5 Trustee reserves the right, in his sole discretion, to seek a Court order authorizing any and all actions
6 necessary or convenient relative to the abandonment.

7 DATED: November 7, 2023

MALCOLM ♦ CISNEROS, A Law Corporation

8 /s/ Nathan F. Smith

9 NATHAN F. SMITH, #264635

10 *Attorneys for Chapter 7 Trustee, A. Cisneros*
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

2112 Business Center Dr., Irvine, CA 92612

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF TRUSTEE'S INTENT TO ABANDON PURSUANT TO 11 U.S.C. § 554(a) AND LOCAL BANKRUPTCY RULE 6007-1** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **November 7, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

OFFICE OF U.S. TRUSTEE: United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
CHAPTER 7 TRUSTEE: Arturo Cisneros (TR) amctrustee@mclaw.org, acisneros@iq7technology.com;
ecf.alert+Cisneros@titledexi.com

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **November 7, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR: Jeffrey S Beier, P O Box 7644, Laguna Niguel, CA 92677
NOTICE: Brian Thompson, Winterstone Real Estate and Development, 23792 Rockfield Blvd. STE 101, Lake Forest, CA 92630

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 7, 2023

Date

Diep Quach

Printed Name

/s/ Diep Quach

Signature

SECTION 1 CONT.

DEBTOR'S ATTORNEY: Anerio V Altman LakeForestBankruptcy@jubileebk.net, lakeforestpacer@gmail.com

NOTICE: Greg P Campbell ch11ecf@aldridgepite.com, gc@ecf.inforuptcy.com;gcampbell@aldridgepite.com

NOTICE: Arturo Cisneros arturo@mclaw.org, CACD_ECF@mclaw.org

NOTICE: Michael J Hauser michael.hauser@usdoj.gov

NOTICE: Joseph C Delmotte ecfcacb@aldridgepite.com, JCD@ecf.inforuptcy.com;jdelmotte@aldridgepite.com

NOTICE: Nathan F Smith nathan@mclaw.org, CACD_ECF@mclaw.org; mcecfnotices@ecf.courtdrive.com;
cvalenzuela@mclaw.org

SECTION 2 CONT.

Bank of America, National Association
Attn: Bankruptcy Department
PO Box 982238
El Paso, TX 79998

~~Gary and Patricia Beier~~
~~Drakes Bay~~
~~Laguna Niguel, CA 92677~~
10.03.2023 return to sender, insufficient address, unable to forward

INTERNAL REVENUE SERVICE
P.O. BOX 7346
PHILADELPHIA, PA 19101-7346

National Service Professionals
10001 W Oakland Park Blvd Ste 301
Sunrise, FL 33351-6925

Sandy Elsberg
10 Tucson
Trabuco Cyn, CA 92679-5200

~~Sergei Nasonav~~
No complete address

~~Steven Beier~~
~~San Jose~~
No complete address

THE BANK OF NEW YORK MELLON
C/O Bank of America, N.A.
P.O. Box 31785
Tampa FL 33631-3785